

Serial No. 10/563,116
Docket No. FP04001-US-P/MM/CT

9

REMARKS

An Excess Claim Fee Payment Letter is submitted for one excess total claim.

Claims 1-23 are all the claims presently pending in the application. Claims 1-2, 4-7, 9-11, 13-22 have been amended to more particularly define the claimed invention. Claim 23 has been added.

It is noted that the claim amendments are made only for more particularly pointing out the invention, and not for distinguishing the invention over the prior art, narrowing the claims or for any statutory requirements of patentability. Further, Applicant specifically states that no amendment to any claim herein should be construed as a disclaimer of any interest in or right to an equivalent of any element or feature of the amended claim.

Claims 1 and 15 stand rejected under 35 USC 112, second paragraph as being allegedly indefinite. Applicant submits that claims 1 and 15 have been amended to address the Examiner's concerns. Therefore, these claims are clear and not indefinite, and the Examiner is respectfully requested to withdraw this rejection.

Claims 1-2 and 6 stand rejected under 35 U.S.C. § 102(b) as being allegedly anticipated by Davis et al. (U. S. Pat. No. 3,753,470).

Claims 3, 4, 9 and 10 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Davis in view of Wentworth et al. (U. S. Pat. No. 6,516,899).

Claim 5 stands rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Davis in view of Lof (WO 03004824).

Claim 7 stands rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Davis.

These rejections are respectfully traversed in view of the following discussion.

I. THE CLAIMED INVENTION

An exemplary aspect of the claimed invention (e.g., as defined by claim 1) is directed to a transporting apparatus, installed in a given clean environment, for transporting a plate from a predetermined takeoff position to a processing chamber. The apparatus includes a pair of upright support members standing at a predetermined interval.

Importantly, the invention also includes at least one horizontal support table liftably cantilevered on the pair of upright support members, and lift driving means for lifting the

Serial No. 10/563,116
Docket No. FP04001-US-P/MM/CT

10

horizontal support table vertically, and a robot placed on the horizontal support table and having horizontally rotating arms for taking up and transporting the plate (Application Figures 1-5; page 20, line 5-page 22, line 8). This may allow the invention to eliminate the need for a large power which is required conventionally (Application at page 4, lines 6-12).

Another exemplary aspect (e.g., as recited in claim 15) is directed to a transporting control method of a transporting apparatus, installed in a predetermined clean environment and having rotating arms and end effectors, for transporting a plate from a predetermined takeoff position to a processing chamber. The method includes based on position data of accessed position of the rotating arms and the end effectors, calculating a moving amount in a horizontal direction, a moving amount in a vertical direction and driving data of the rotating arms and the end effectors, moving a robot based on the moving amount in the horizontal direction and the moving amount in the vertical direction and driving the rotating arms and the end effectors based on the driving data, and reading from storing means deflection data of the rotating arms and the end effectors which are extended.

Importantly, this aspect also includes calculating compensation data for compensating a deflected amount based on the deflection data, and compensating the deflected amount based on the compensation data (Application at page 27, line 15-page 29, line 7).

II. THE ALLEGED PRIOR ART REFERENCE

The Examiner alleges that Davis teaches the claimed invention of claims 1-22. Applicant would submit, however, that Davis does not teach or suggest each and every element of the claimed invention.

In particular, nowhere does Davis teach or suggest "*at least one horizontal support table liftably cantilevered on the pair of upright support members; lift driving means for lifting the horizontal support table vertically; and a robot placed on the horizontal support table and having horizontally rotating arms for taking up and transporting the plate*", as recited in claim 1 (Application Figures 1-5; page 20, line 5-page 22, line 8), or "*calculating compensation data for compensating a deflected amount based on the deflection data, and compensating the deflected amount based on the compensation data*", as recited for example, in claim 15 (Application at page 27, line 15-page 29, line 7).

Clearly, Davis does not teach or suggest these novel features.

Serial No. 10/563,116
Docket No. FP04001-US-P/MM/CT

11

Indeed, on page 3 of the Office Action the Examiner relies on columns 7, 15, 32 and 33 and Figures 1, 2, 33 and 45 to support his position. This is completely unreasonable.

Indeed, Figure 1 shows a robotic conveyor 15 but provides little detail. Figure 2 shows more detail and Figure 1, but shows a robotic conveyor 15 which "includes a mounting conveyor beam or rail 7 upon which a movable conveyor robot subassembly 5 is mounted and moves relative to the rail" (Davis at col. 6, lines 27-31). Further, Figure 33 simply teach forming the subassembly 5 formed on a front panel 1048, and Figure 45 simply teach a conveyor including a tram 2156 and an arm assembly 2157. The tram 2156 "moves along a guide track which defines the tram path along which the tram travels" (Davis at col. 32, lines 36-42).

That is, nowhere in any of the passages or drawings relied on by the Examiner, or anywhere else for that matter, does Davis even teach or suggest at least one horizontal support table liftably cantilevered on the pair of upright support members, or a lift driving means for lifting the horizontal support table vertically. Clearly, Davis does not teach or suggest a robot placed on the horizontal support table and having horizontally rotating arms for taking up and transporting the plate.

With respect to claim 15, the Examiner simply alleges on page 4 that the features of the claim 15 are taught by Davis, but provides Applicant with no details on where in Davis these features are allegedly taught. Applicant can only assume the features in Davis on which the Examiner is relying to support his position. Therefore, Applicant respectfully submits that the Office Action is incomplete, and the Examiner should provide Applicant with a complete Non-final Office Action.

In particular, it is unclear where in Davis the Examiner is alleging that calculating compensation data for compensating a deflected amount based on the deflection data, and compensating the deflected amount based on the compensation data, are taught. The Examiner, referring to claims 4 and 5, alleges that Davis teaches deflection compensation means at Figures 21-23 and col. 15, lines 50-67. However, this is completely unreasonable.

Indeed, col. 15, lines 50-67 have nothing to do with deflection compensation. Indeed, nowhere in this passage or anywhere else does Davis teach or suggest calculating compensation data for compensating a deflected amount based on the deflection data, and compensating the deflected amount based on the compensation data.

Serial No. 10/563,116
Docket No. FP04001-US-P/MM/CT

12

Therefore, Applicant would submit that Davis clearly does not teach or suggest each and every element of the claimed invention. Therefore, the Examiner is respectfully requested to withdraw this rejection.

III. FORMAL MATTERS AND CONCLUSION

Applicant notes that the Abstract has been amended to address the Examiner's objections thereto.

In view of the foregoing, Applicant submits that claims 1-23, all the claims presently pending in the application, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

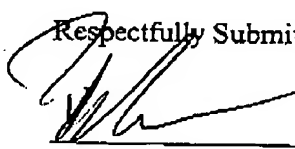
Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Date:

1/27/09

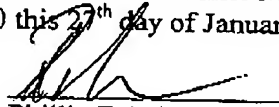
Respectfully Submitted,


Phillip E. Miller, Esq.
Registration No. 46,060

McGinn IP Law Group, PLLC
8321 Old Courthouse Road, Suite 200
Vienna, VA 22182-3817
(703) 761-4100
Customer No. 21254

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that I am filing this Amendment Under 37 CFR §1.111 by facsimile with the United States Patent and Trademark Office to Examiner Marc McDieunel, Group Art Unit 3664 at fax number (571) 273-8300 this 27th day of January, 2009.


Phillip E. Miller, Esq.
Registration No. 46,060